

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEIN DISTRIBUTING, INC.,

Plaintiff,

v.

PABST BREWING COMPANY, LLC,

Defendant.

Consolidated Case No. 3:17-cv-05150-RBL

**DECLARATION OF GAVIN W. SKOK
IN SUPPORT OF PLAINTIFFS’
MOTION TO EXCLUDE EXPERT
OPINIONS OF KIMBERLY
CLEMENTS AND DANIEL LEVINE**

THE ODOM CORPORATION,

Plaintiff,

v.

PABST BREWING COMPANY, LLC,

Defendant.

I, Gavin W. Skok, declare and state as follows:

1. I am an attorney representing Plaintiffs Stein Distributing, Inc. (“Stein”) and The Odom Corporation (“Odom”) in the above-captioned matter. I am over the age of 18, competent to testify, and have personal knowledge of the facts stated below.

1 2. Attached as **Exhibit A** is a true and correct copy of the Arbitration Award issued
2 by Arbitrator Peggy Rasmussen on December 29, 2017 in the underlying arbitration between
3 Plaintiffs and Defendant Pabst Brewing Company, LLC (“Pabst”).

4 3. Attached as **Exhibit B** is a true and correct copy of the expert report of Plaintiffs’
5 expert Michael Bellas regarding damages suffered by Odom, which Plaintiffs produced to Pabst
6 on June 29, 2018.

7 4. Attached as **Exhibit C** is a true and correct copy of the expert report of Plaintiffs’
8 expert Michael Bellas regarding damages suffered by Stein, which Plaintiffs produced to Pabst
9 on June 29, 2018.

10 5. Attached as **Exhibit D** is a true and correct copy of the expert report of Plaintiffs’
11 expert Robert Brown, which Plaintiffs produced to Pabst on June 29, 2018.

12 6. On July 17, 2018, Pabst served additional document requests on Plaintiffs, shortly
13 before the rebuttal expert deadline of July 30. Many of the document requests mirrored
14 document requests Pabst served on Plaintiffs earlier in the case.

15 7. Pabst also asked Plaintiffs to agree to an extension of time for Pabst’s Rule
16 26(a)(2)(D)(ii) rebuttal expert disclosures. Plaintiffs agreed to the extension. Plaintiffs also
17 agreed to produce documents responsive to Pabst’s July 17 document requests before the
18 ordinary 30-day response time was up, ultimately producing documents on August 7.

19 8. Attached as **Exhibit E** is a true and correct copy of the expert report of Pabst’s
20 rebuttal expert Kevin Grambush regarding Stein, which Pabst produced to Plaintiffs on August
21 14, 2018.

22 9. Attached as **Exhibit F** is a true and correct copy of the expert report of Pabst’s
23 rebuttal expert Kimberly Clements regarding Odom, which Pabst produced to Plaintiffs on
24 August 14, 2018.

11. Attached as **Exhibit H** is a true and correct copy of the expert report of Pabst's expert Daniel Levine, which Pabst produced to Plaintiffs on August 14, 2018.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 13th day of September, 2018 at Seattle, Washington.

By /s/ Gavin W. Skok
Gavin W. Skok

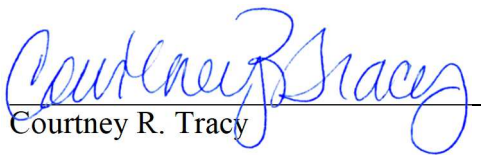
CERTIFICATE OF SERVICE

I certify that I am a secretary at the law firm of Fox Rothschild LLP in Seattle, Washington. I am a U.S. citizen over the age of eighteen years and not a party to the within cause. On the date shown below, I caused to be served a true and correct copy of the foregoing on counsel of record for all other parties to this action as indicated below:

<u>Service List</u>	
Steven M. Wilker, WSBA #33933 Christopher J. Pallanch, WSBA #42329 TONKON TORP LLP 1600 Pioneer Tower 888 SW Fifth Avenue Portland, OR 97204 Ph (503) 802-2104 Fax (503) 972-3804 steven.wilker@tonkon.com christopher.pallanch@tonkon.com jackie.wilkes@tonkon.com ruth.betancourt@tonkon.com	<input type="checkbox"/> Via US Mail <input type="checkbox"/> Via Messenger <input checked="" type="checkbox"/> Via CM/ECF / Email <input type="checkbox"/> Via over-night delivery
Christopher I. Brain, WSBA #5054 Chase C. Alvord, WSBA #26080 TOUSLEY BRAIN STEPHENS PLLC 1700 Seventh Avenue, Suite 2200 Seattle, WA 98101 Ph (206) 682-5600 Fax (206) 682-2992 cbrain@tousley.com calvord@tousley.com	
<i>Attorneys for Defendant</i>	

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this 13th day of September, 2018, in Seattle, Washington.


 Courtney R. Tracy